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Bailey, Goldsmith F.

Intervention for freedom.

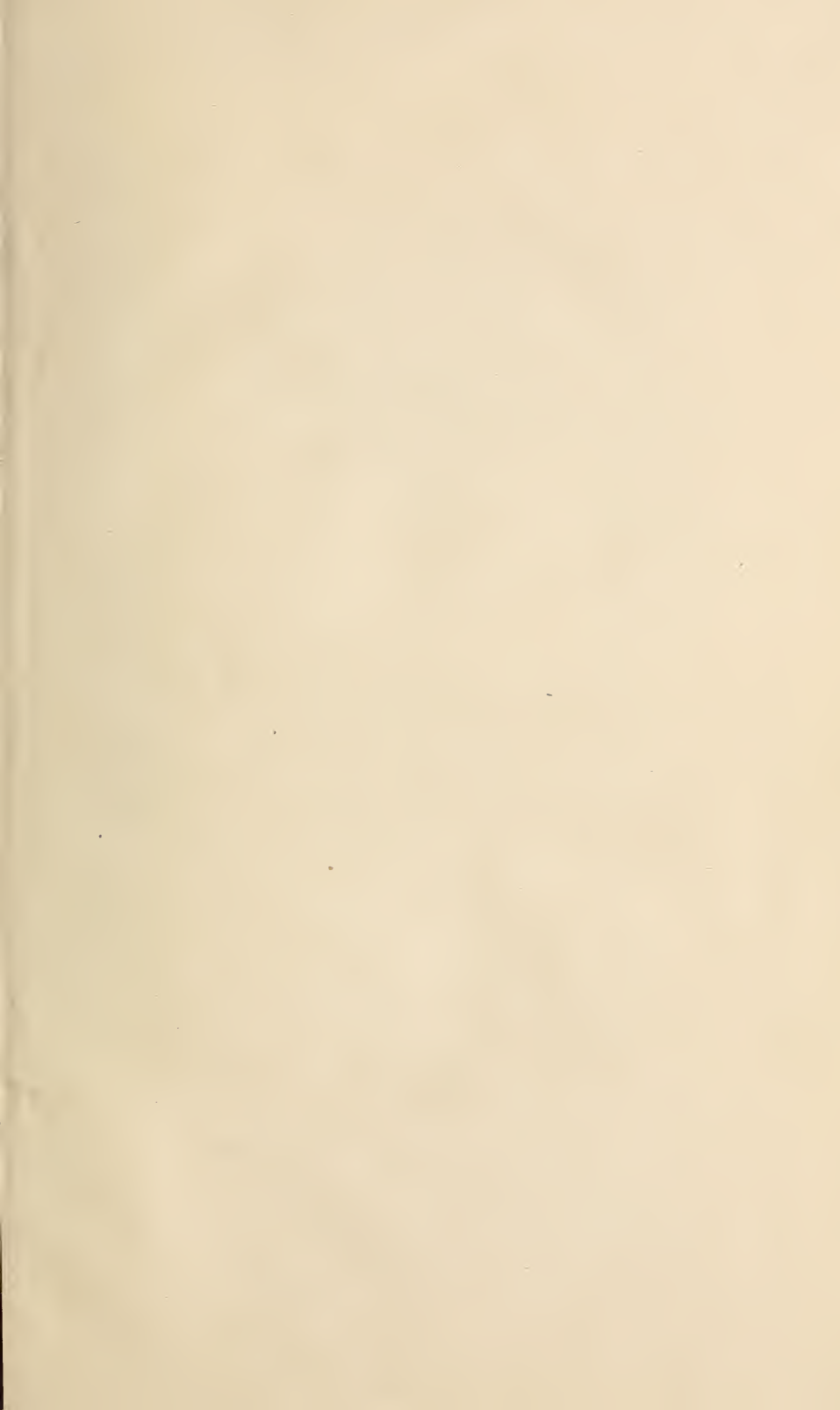
Address, at Fitchburg, Aug.

24, 1860.



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INTERVENTION FOR FREEDOM.

ADDRESS OF HON. G. F. BAILEY,
AT FITCHBURG,
Friday Evening, Aug. 24th, 1860.

[REPORTED BY MR. H. E. ROCKWELL.]

Three months ago, the National Republican party, at a convention called for that purpose—one of the largest and most numerous attended, perhaps, of any ever held in the United States.—nominated as a candidate for the highest office in the gift of the American people, that honest, tried and faithful exponent of National Republican principles, Abraham Lincoln of Illinois; the published record of whose political faith, contains these words, "I am impliedly, if not expressly, pledged to a belief that it is the *right* and the *duty* of Congress to prohibit slavery in all the United States Territories."

The same convention, nominated as its candidate for the second office in the gift of the people that gallant son of the east, that steadfast friend of Republican principles, Hannibal Hamlin of Maine.

And Mr. Hamlin has placed his opinion on record in these words:—

"I hold that the Constitution, in and of itself, by its express language, authorizes Congress to inhibit this institution (slavery) in our territories. Having the power to act, what is the responsible duty which I feel imposed on me? It is that I should exert all the power which the Constitution gives to exclude the institution of slavery from our territories now free, because it is a social, moral, and intellectual evil. Our position is unquestionable. We stand in defence of free soil, and resist aggressive slavery, and we demand enactments for the protection of free soil against its aggressions."

The National Republican party in 1856, adopted these resolutions in its platform of faith;—

Resolved, That, with our Republican fathers, we hold it to be a self evident truth that all men are endowed with the inalienable rights to life, liberty and the pursuit of happiness—and that the primary object and ulterior design of our Federal government were to secure these rights to all persons within its exclusive jurisdiction. That as our Republican fathers, when they had abolished slavery in all our national territories, ordained that no persons should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the Constitution against all attempts to violate it for the purpose of establishing slavery in any territory of the United States, by positive legislation, prohibiting its extension or existence therein.

Resolved, That the Constitution confers upon Congress sovereign power over the Territories of the United States for their government, and that in the exercise of this power, it is both the right and the duty of congress, to prohibit in the territories, these twin relics of barbarism—Polygamy and Slavery.

The National Republican Convention which nominated Lincoln and Hamlin adopted this resolution.

Resolved, That the normal condition of all the territory of the United States is that of freedom. That as our Republican fathers, when they had abolished slavery in all our national territory, ordained that "no person should be deprived of life, liberty, or property, without due process of law," it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the Constitution against all attempts to vi-

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olate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to slavery in any Territory of the United States.

The Republican Party of the State of Massachusetts, at its last annual Convention, expressed the doctrine of the party in this State, in these words:—

Resolved, That we believe in the Jeffersonian ordinance of 1787, and its application to all the Territories of all the Federal government; we hold it to be the duty of Congress to secure to all the inhabitants thereof, the free ownership of their own bodies, and their right to life, liberty and the pursuit of happiness, without which it is impossible that the people should be left free to form their own institutions in their own way.

This, then, is the Republican faith to-day, as gleaned from authentic sources. It is the doctrine of Congressional Intervention in the territories, for the exclusion of slavery; and it is the same doctrine as that contained in the Jeffersonian Ordinance, and the Wilmot Proviso.

Stephen A. Douglas, the great standard bearer of the Democratic Party, holds the opposite doctrine, and has placed his belief on record in these words:—

"The position that I have ever taken has been, that slavery, and all other questions relative to the domestic policy of the Territories, ought to be left to the decision of the people themselves."

The Democratic National Convention, in 1856, gave us this resolution as expressive of its political faith upon this question:—

Resolved, That the American democracy recognize and adopt the principles contained in the organic laws establishing the territories of Kansas and Nebraska, as embodying the only sound and safe solution of the slavery question, upon which the great national idea of the people of this whole country can repose in its determined conservation of the Union, and non-interference of Congress with slavery in the territories, or in the district of Columbia.

At the last Convention of the National Democratic Party, in Baltimore, the principles of the Cincinnati Platform, which I have just read, were re-affirmed and endorsed by the Democratic Party for 1860.

The Democratic Party of Massachusetts, at its last State Convention, adopted this resolution:

Resolved, That we find no necessity for addition or change in the great doctrine of pop-

ular sovereignty as declared by the Massachusetts Resolutions of 1848, that we are opposed to the exercise of any jurisdiction in Congress over the matter of slavery in the territories, but we are in favor of leaving to the people who inhabit them the right to establish their own domestic institutions under the principles of the Constitution.

This doctrine of the Democracy, is the doctrine of non-intervention, made familiar to us under the name of "squatter sovereignty," "Popular sovereignty," and the strangely inappropriate one of "self-government."

The living, practical question, now presented to the Republicans of this locality, is this—shall we abandon the cherished principles of our chosen standard bearer, proclaimed by the Republican Party of the nation, at its first and last conventions, and affirmed by the Republican Party of the State of Massachusetts? Shall we turn coldly away from the principles thus enunciated, and embrace the doctrine of our opponents? I find no fault with those who honestly embrace this faith, if any such are present, but for one, my way is clear; when I abandon the principles of my party upon a great, living and vital question, and adopt those of the adversary, I will adopt his name also. I will enroll my name with his, march under his banner, and share with him the glory of victory, or the shame of defeat. I have presented this question as the only question before us; and I so understand it, because I am not aware that the Republican Party has taken a position adverse to the doctrine that as a general rule, the people of the territories may regulate their own affairs in their own way, saving and excepting that they shall not restrict emigration from the states to the public domain, by legalizing therein great and atrocious crimes; but shall retain the fundamental principles of the Government,—and acknowledge the elements and principles of the Declaration of Independence. But we are met here with the statements that the Declaration of Independence set forth that governments derive their just power from the consent of the governed, and that we cannot in harmony with that principle, impose restrictions or regulations upon the people of the territories. Let me read to you—although you are perfectly familiar with it—the language of the Declaration of Independence upon this point:—

"We hold these truths to be self evident, that all men are created equal; that they are endowed by their Creator, with certain inalienable rights; that among them are life, lib-

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erty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed."

By that language I will stand; I will follow it to all its legitimate conclusions, and when the Anglo-Saxon giant goes into the territories of the United States and attempts to govern with scourge and fetter the African slave, then the Republican Party says, and it is the right and duty of Congress to say, "*hands off*," "*fair play*" in the public domain of the United States. You cannot govern in that way the weak African, without his consent, for "*to secure life, liberty, and the pursuit of happiness*, governments derive their just powers from the consent of the governed."

Is it not clear that governments cannot derive the power from any source whatever, to deprive a guiltless man of "the right to life, liberty, and the pursuit of happiness," or delegate that power to others? The white man, whether he goes from Massachusetts, from Maine, or from Georgia, or South Carolina, or Texas, as an emigrant, or in any other capacity, into the territories of the United States, carries with him, as I contend, and am ready to defend him in that right, the right of self-government. But the question presented to us is, in the language of Abraham Lincoln, "Shall we permit him to govern *another* without his consent?" It is undoubtedly true, as has been stated by the leading spirit of the doctrine of popular sovereignty, Stephen A. Douglas, that the men who framed our government originally, the men who were active in preparing and adopting the Declaration of Independence, understood its limitations and its principles better than we do. It is well known,—and it was not by accident,—that the same master mind, the same great patriotic heart that framed and dictated the first law of Congress which prohibited slavery in the territories, also wrote the Declaration of Independence; and we can easily gather what his views were of the meaning of the words which I have just read.

But it is unnecessary to pursue this line of argument; both doctrines have been practically applied and tested. Let us appeal to History. From the fanciful theories, the ingenious sophistries, and loose declamations, with which the public ear has been filled, and the public press has teemed, since Stephen A. Douglas began his crusade against the principles of the Jeffersonian Ordinance, let us turn to the faith and practice of the fathers of the Republic, and review the history of the

prohibition of slavery in the territories, and its results, and then consider the history and results of non-intervention.

At the close of the Revolutionary War Massachusetts, New York, Connecticut and Virginia claimed all that territory which now constitutes Ohio, Indiana, Illinois, Wisconsin and Michigan. Georgia and North Carolina claimed that territory which now constitutes the states of Tennessee, Mississippi and Alabama. The other states complained that it was not fair that these few states should hold this territory, which had been defended with the common treasure, and for which a common debt had been incurred, and claimed that it should become a part of the public fund.

In 1784, or thereabouts, Massachusetts, New York, Connecticut and Virginia ceded to the confederated States all their claims to the territory northwest of the Ohio River, so that it passed under the control of the Confederated Government: Georgia and North Carolina still retaining their territory. At the same time that this session was completed Congress raised a committee to report a plan for the government of this new territory. It was understood at that time that the territory held by Georgia and North Carolina would soon be ceded to the general government. Thomas Jefferson was chairman of the Committee to whom the matter was referred, and he reported to Congress a plan for the government of that territory, which is called the Jeffersonian Ordinance. In that plan there was a restriction, prohibiting slavery in all the territory that had been, and all that should be, ceded to the United States—all that called the Northwest Territory, and also all that owned by the States of Georgia and North Carolina. Thus we see the same great man who wrote the Declaration of Independence proposing that Congress should prohibit slavery in all the territories, and establish freedom forever, therein.

Under the articles of confederation, all votes were taken by states, each state being entitled to but one vote; and a majority of all the states—that is to say seven—was necessary to carry any question, except that of adjournment from day to day. The vote in Congress on this proposition of Thomas Jefferson then ceded or *thereafter to be ceded* to the United States, is a curious and instructive one, inasmuch as under this rule, in Congress, seven advocates of the extension of slavery were enabled to triumph over seventeen

friends of free labor. Six states voted yea; three states voted nay. One state, North Carolina, did not vote, her delegation being equally divided, and three states were absent. Although the states present and voting stood two to one in favor of the proposition, still it was lost, seven states not voting in the affirmative. An analysis of the votes of the several delegations shows, twenty four members present, seventeen of them voting yea, while only seven voted nay. One more affirmative vote from North Carolina, would have given the requisite number of states, and carried the prohibition. Had it been carried and sustained it is more than probable that this generation would not have witnessed a single slave west of the Alleghany mountains.

In 1787, Nathan Dane, of Massachusetts, as chairman of a committee raised for that purpose, reported an ordinance for the government of the Northwest Territory, being that portion ceded by Virginia and the northern states. In that ordinance he embodied the provision of Jefferson in a prohibitory clause excluding slavery forever. That Ordinance, by a Congress composed of men so fresh from the formation of the government was adopted with entire unanimity. It was stated by Mr. Douglas, in his great speech in the United States Senate, when advocating the passage of the Kansas Nebraska act, which repealed the Missouri Compromise, that although every state within that northwestern territory came in as a free state, and is free to-day, still they were not indebted, nor are we indebted, to the ordinance of 1787 for that fact. I think the history of the times demonstrate clearly that this position is not correct. It is said it was because the people chose freedom rather than slavery that they became free states, and not because they were prohibited from holding slaves there. This is a pretty material and important question. If it is so then it may be said perhaps, this prohibition of slavery in the territories is not of much consequence; but if, on investigation, we find the people during their territorial life, struggled against this prohibition of Congress and sought by every possible means to override it, and to introduce slavery into the territories, because they sincerely believed it for their interest to do it, then we may say the ordinance prevented the introduction of Slavery. Let us turn to the history of the times. Seven years after the adoption of the constitution, and seven years after the ordinance of 1787 was ratified by congress, under the constitution, John Edgar

and others from the part of the territory which now forms the state of Ohio, applied to Congress for permission to hold slaves, and that Congress would remove that part of the ordinance which prevented it. This application was referred to a committee, but the prayer of the petitioners was not granted. In 1802, Ohio adopted a Constitution for a state government and came into the Union with a free constitution as one of the states. Congress, in recognizing her, in the act under which she came in, was careful to mention the fact that her constitution conformed to the ordinance of 1787; therefore it appears, while Ohio sought the privilege of holding slaves, and asked for the removal of the restriction which prevented it, she yielded to the restriction made by the intervention of Congress and came in as a free state.

The balance of the Northwest Territory remained, by the name of Indian Territory. In December 1802, the people of Indiana Territory held a convention at Vincennes, over which Wm. Henry Harrison presided, who was afterward governor of that territory, and since president of the United States. That convention adopted resolutions declaring their desire to hold slaves, setting forth that their immigration was mostly from the southern states, and asking Congress to suspend the sixth article of the compact, which was the one prohibiting slavery. In 1803 Wm. Henry Harrison addressed a letter to the Speaker of the House of Representatives at Washington, inclosing the proceedings of the convention, which was referred to a select committee to consider and report upon. That committee, after duly considering the question, made the following report March 2d, 1803 :—

"That the rapid population of the state of Ohio sufficiently evinces, in the opinion of your committee, that the labor of slaves is not necessary to promote the growth and settlement of colonies in that region. That this labor demonstrably the dearest of any, can only be employed to advantage in the cultivation of products more valuable than any known to that quarter of the United States. That the committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the Northwestern country, and to give strength and security to that extensive frontier. In the salutary operation of this sagacious and benevolent restraint, it is believed that the inhabitants of Indiana will, at no very distant day find ample remuneration

for a temporary privation of labor and of emigration.

Resolved. That it is inexpedient to suspend, for a limited time, the operation of the sixth article of compact between the original states, and the people and states west of the river Ohio.

This report, which savors so strongly of Black Republicanism, was written by John Randolph of Roanoke. He believed then, and congress concurred with him, that it was their right and duty to guarantee to all settlers in that territory, by positive legislation, the ownership of their own bodies.

In 1804 another application was made by the people of the territories and referred to a new committee; the committee to whom the matter was referred, reported as follows:

Resolved. That the sixth article of the Ordinance of 1787, which prohibited slavery within the said Territory, be suspended in a qualified manner, for ten years, so as to permit the introduction of slaves, born within the United States, from any of the individual states; provided, that such individual state does not permit the importation of slaves from foreign countries; and provided further that the descendants of all such slaves, shall, if males, be free at the age of twenty-five years, and if females, at the age of twenty-one years.

This favorable report was lost, and the Ordinance of '87 again ratified and confirmed.

In 1805 still another application was made by the people of this vast territory, asking Congress to remove the restriction and another committee to whom the matter was referred reported as follows;

That, having attentively considered the facts stated in the said petitions and memorials, they are of opinion that a qualified suspension, for a limited time, of the sixth article of the compact between the original states, and the people and states west of the river Ohio, would be beneficial to the people of the Indiana Territory. *The suspension of this article is an object almost universally desired in that Territory.*

Resolved. That the sixth article of the Ordinance of 1787, which prohibited slavery within the Indiana Territory, be suspended for ten years, so as to permit the introduction of slaves born within the United States, from any of the individual states.

This was not adopted, and Congress again reaffirmed the principles contained in the prohibition of the ordinance of 1787.

But it may be said that although the peo-

ple of the territories were constantly making applications and were constantly resisted by congress, there is no conclusive evidence that at any time the people were generally in favor of slavery, and that perhaps they could not have elected a territorial legislature favorable to establishing slavery.

If this be so, then there is still, at least, a quibble to which Mr. Douglas and his friends may cling. Unfortunately for them, the proceedings of congress cannot be obliterated. Its annals develop the following record, under date of Jan. 20, 1807:

The speaker laid before the house a letter from William Henry Harrison, governor of the Indiana Territory, enclosing certain resolutions passed by the legislative council and house of representatives of the said Territory relative to a suspension, for a certain period, of the sixth article of compact between the United States and the territories and states northwest of the River Ohio, made on the thirteenth of July, one thousand seven hundred and eighty-seven; which were read as follows:—

Resolved, Unanimously, by the legislative council and house of representatives of the Indiana Territory, that a suspension of the sixth article of compact between the United States and the territories and states northwest of the river Ohio, passed the 13th day of July, 1787, for the term of ten years, would be highly advantageous to the said Territory, and meet the approbation of at least nine-tenths of the good citizens of the same.

Resolved, Unanimously, that the abstract question of liberty and slavery is not considered as involved in a suspension of the said article, inasmuch as the number of slaves in the United States would not be augmented by the measure.

Resolved, Unanimously, that the suspension of the said article would be equally advantageous to the Territory, to the state from whence the negroes would be brought, and to the negroes themselves.

To the Territory, because of its situation with regard to other states; it must be settled by emigrants from those in which slavery is tolerated, or for many years remain in its present situation, its citizens deprived of the greater part of their political rights, and, indeed, of all those which distinguish the American from the citizens and subjects of other governments.

The states which are over-burdened with negroes would be benefitted by their citizens having an opportunity of disposing of the

negroes which they cannot comfortably support, or of removing with them to a country abounding with all the necessaries of life; and the negro himself would exchange a scanty pittance of the coarsest food for a plentiful and nourishing diet, and a situation which admits not the most distant prospect of emancipation, for one which presents no considerable obstacle to his wishes.

Resolved, Unanimously, that the citizens of this part of the former Northwestern Territory, consider themselves as having claims upon the indulgence of Congress in regard to the suspension of the said article, because, at the time of the adoption of the ordinance of 1787, slavery was tolerated, and slaves generally possessed by the citizens then inhabiting the country, amounting to at least one-half the present population of Indiana, and because the said ordinance was passed in Congress, when the said citizens were not represented in that body, without their being consulted, and without their knowledge and approbation,

Resolved, Unanimously, that from the situation, soil, climate, and productions of the Territory, it is not believed that the number of slaves would ever bear such proportion to the white population, as to endanger the internal peace and prosperity of the country.

Resolved, Unanimously, that copies of these resolutions be delivered to the governor of this Territory, to be by him forwarded to the president of the senate and to the speaker of the house of representatives of the United States, with a request that they will lay the same before the senate and house of representatives, over which they respectively preside.

Resolved, Unanimously, That a copy of these resolutions be delivered to the delegate to congress from this territory, and that he be, and hereby is, instructed to use his best endeavors to obtain a suspension of the said article.

The resolutions were referred to Mr. Parke, Mr. Masters, Mr. Rhea of Tennessee, Mr. Sandford, Mr. Alston, Mr. Jeremiah Morrow, and Mr. Trigg, to examine and report their opinion thereupon to the house.

Thursday, February 12.—Mr. Parke, from the committee to whom was referred the letter of William Henry Harrison, governor of the Indian territory, enclosing certain resolutions of the legislative council and house of representatives of the said territory, made the following report :

That the resolutions of the legislative council

and house of representatives of the Indiana territory relate to a suspension, for the term of ten years, of the sixth article of the compact between the United States and the territories northwest of the river Ohio, passed the 13th July, 1787. That article declares "there shall be neither slavery nor involuntary servitude in the said territory."

The suspension of the said article would operate an *immediate* and *essential* benefit to the territory, as emigration to it will be, inconsiderable for many years, except through those states where slavery is tolerated; and although it is not considered expedient to force the population of the territories, yet it is desirable to connect its scattered settlements; and, in regard to political rights, to place it on an equal footing with the different states. From the interior situation of the territory, it is not believed that slaves would ever become so numerous as to endanger the internal peace or future prosperity of the country. The current of emigration flows to the western country; the territories ought to be opened to their introduction. The abstract question of liberty and slavery is not involved in the proposed measure, as slavery exists to a considerable extent in different parts of the Union; it would not augment the number of slaves, but merely authorize the removal to Indiana of such as are held in bondage in the United States. If slavery is an evil, means ought to be devised to render it least dangerous to the community, and by which the hopeless situation of the slaves would be most ameliorated; and to accomplish these objects no measure would be so effectual as the one proposed. The committee, therefore, respectfully submit to the house the following resolutions:

Resolved, That it is expedient to suspend, from and after the 1st day of January, 1808, the sixth article of compact between the United States and the territories and states northwest of the river Ohio, passed the 13th day of July, 1787, for the term of ten years.

Thus it appears that all the co-ordinate branches of the government were unanimous on this point. The entire body of the legislature expressed its desire for the establishment of slavery. The council, by a unanimous vote, expressed the same wish; and the governor concurred therein. This, it must be borne in mind, was the territory comprising what now forms the states of Indiana, Illinois, Michigan and Wisconsin. Congress again resisted the application, and against the unanimous wish of the people of the territory,

insisted upon the observance of the sacred ordinance which consecrated her to freedom and free labor forever. Can any reasoning being demand higher or better evidence that the people of the territory wanted slavery, and would have established it but for the persistent intervention of congress?

We have seen their petitions presented year after year to Congress, and by Congress resisted; and we at last see them, rising with entire unanimity, and appealing to Congress for the removal of the ordinance of 1787.—At the next session, a fresh application was made, which shared the fate of the five previous ones. Baffled in every attempt, and discouraged by successive defeats, the people rested from their struggle with Congress until 1813, when Illinois applied for permission to employ slaves in the salt works of that territory. The committee reported a bill entitled, "An act to encourage the manufacture of salt in Illinois, by a partial introduction of slavery therein." This was lost, and I fail to find trace of any subsequent effort.

Thus for a period of seventeen years, we find the people struggling to remove the ordinance and to introduce slavery. Seven times they applied to Congress, and seven times Congress refused to grant their prayer.

Afterwards, Indiana, Illinois, Michigan and Wisconsin, in compliance with the ordinance of '87, came into the line of states, with free constitutions, and their prosperity, their immense relative prosperity, as compared with the states along their southern and western line, where slavery is established, is abundant evidence that not only these states, but the whole country, have been benefitted by that intervention. Now, in the light of the record and of history, can any man say that the prohibition of slavery by congress did not give these states freedom?

This question of slavery has been a troublesome one in this country through its entire history; one upon which the people have felt deeply, and one which has occasioned more trouble than any other. But we here see that during a long period of time, commencing with the foundation of the government, and down to the Kansas-Nebraska act almost, this troublesome question of slavery found a peaceful solution under the doctrine of intervention by congress; that, whenever, in a territory, congress extended the principles of the Declaration of Independence; wherever congress guaranteed to the people of the territories these principles, that there were no strifes, no bloodshed upon the question of

slavery; but that the inhabitants of the territories found the peaceful repose of liberty under the law. Though there were strifes, they were in congress by petition, by remonstrance, but never by bloodshed.

In 1803, or about that time, the United States acquired by purchase all that vast territory which borders on the western shore of the Mississippi, stretching from Canada to the Gulf of Mexico, known as the Louisiana territory. After a time, the people of Missouri applied for admission into the Union, and you all know the struggle and excitement which followed. The contest was at last settled by prohibiting slavery in that part of the Louisiana purchase which lies north of 36 degrees and 30 minutes. That compromise consecrated a large part of the territory to freedom, in which part were Kansas and Nebraska. Kansas, by her central position, fine soil, and delightful climate, began to attract the attention of leading men in the United States. They saw that soon it would be peopled and would apply for a state government. The opponents of free labor dreaded the admission of Kansas as a free state, and accordingly, at a proper time a bill was introduced, called the Kansas-Nebraska act containing a clause, as it finally passed, as follows:

That the constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said territory of Kansas as elsewhere within the United States, except the eighth section of the act preparatory to the admission of Missouri into the Union, approved March 6, 1820, which *being inconsistent with the principles of non-intervention by congress with slavery in the states and territories*, as recognized by the legislation of 1850, commonly called the compromise measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the United States.

The passage of that act repealed the Missouri compromise. It broke the silver bond; it destroyed the charmed line which consecrated all this immense territory, including Kansas, to freedom, because, in the language of the act, it was opposed to the doctrine of non-intervention with slavery in the territories. We have seen the working of the principle of intervention. We shall now begin to

see the effect of the doctrine which is pressed upon our acceptance. From this time a new-system was adopted with reference to the territories, and they were thrown open to competition between the friends of free and the friends of slave labor. What was the result? The scenes in Kansas are too recent and too fresh in your minds to require recital. You all know that immediately upon the passage of the Kansas-Nebraska act, men rushed to Kansas from Missouri,—preparations having been made in anticipation of its passage,—for the purpose, the avowed purpose of establishing slavery there at any and all hazards. In order to meet that rush of people from the southern states, of men who went there, not as honest settlers, but to establish slavery, as appears from their sworn testimony, the north was driven to the same distant territory. New England sent her young men and her strong men, her strength and her patriotism, to meet want, death, and the fire of civil war, in the attempt to restore and bring back to freedom that territory, which, by the adoption of the doctrine of non-intervention, had been thrown open to slavery.

The first fruit of the doctrine of the non-intervention of congress, was civil war. No longer did the people find a peaceful solution of the question, but they were compelled to fight over again the battle of the revolution; once more they were obliged, by force of arms, by all the horrors of war, to re-assert and re-establish the principles of our great charter of liberty.

Must the battles of the revolution be re-fought in all our territories? Is it wise to adopt that course, or is it better to retain the policy of the fathers of the government, which so long gave peace to the territories by the prohibition of slavery therein?

It happened to me, sir, in 1857, to be in the Massachusetts State House, when an application was pending before the committee on federal relations, in behalf of the people of Kansas for an appropriation from the state of Massachusetts, to aid in defending the rights of the emigrants from Massachusetts in the territory against the aggressions of the men who were sent there from the south to establish slavery. I remember well, that, pending the hearing before that committee, there appeared before them a tall man, past the middle age, whose smileless face bore evidence that he had seen much of the dust and ashes of life, and who bore upon his countenance

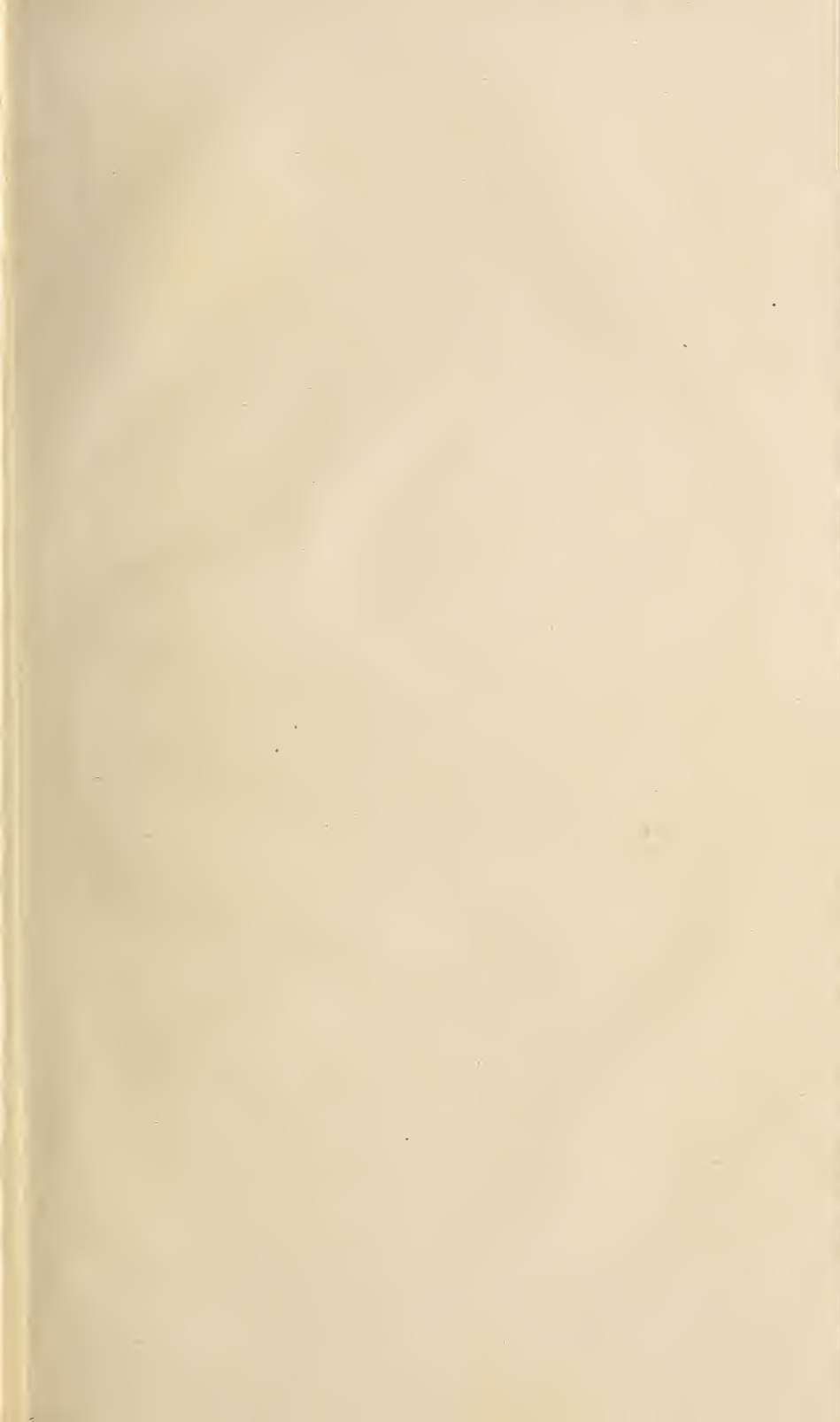
evidence of an iron will and a resolute purpose which nothing could quell. Having given an account, that brought tears to the eyes of the committee, of the privations and perils which the people of Kansas had borne to retain that territory to freedom, he said "I went there with sons, two. Two of those sons were taken prisoner by the border ruffians; one of them was kept in prison one month; the other was drawn in chains, under a burning sun for a long distance, and kept four months in prison, until he became a maniac. Another son was wounded to such an extent that he became a cripple for life. One day, said he, I saw three men lying on the ground; one of them still retained some signs of life, but it was found that he had more than twenty buckshot and bullet wounds. The other two were stark and stiff, having lain there until the insects had commenced their work upon them. One of these was the body of my own son." From that we can gather something of what civil war is; we can learn from it what a fearful ordeal the people of the northwest territory were spared by the peaceful operation of the ordinances of 1787.

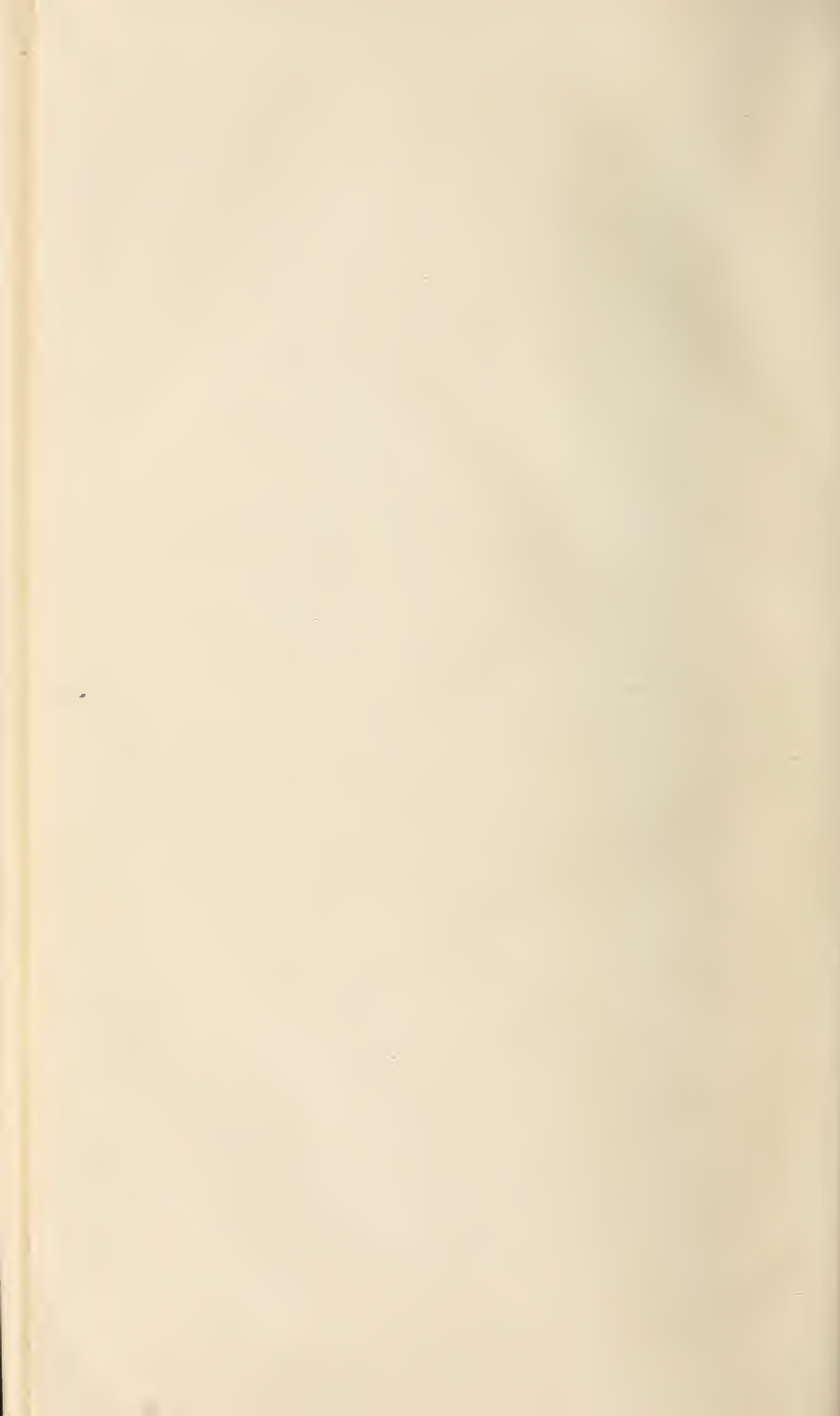
Far away in the northern part of the state of New York, where the Adirondack mountains lift their pillars to the clouds, there is a green mound that covers the remains of the old man to whom I have alluded, and, a slab at the head of his grave, tells the passer by that the sleeper below was executed in Charlestown, Virginia, on the 2nd of December, 1859.

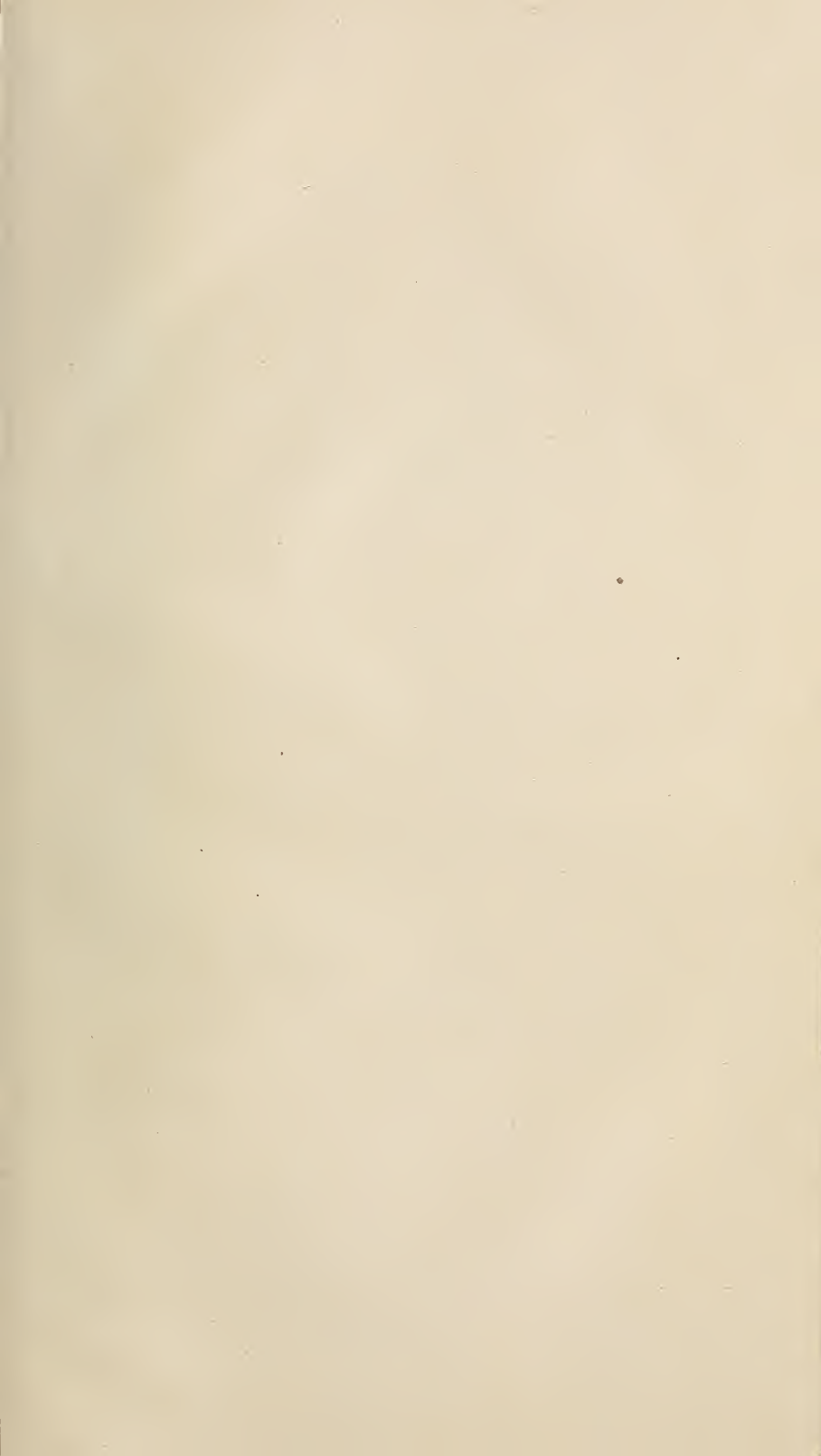
There were consequences flowing from the taking away of the restrictions in Kansas that cannot be unfolded at this time. The results no man can compute—the terrible and fearful results which have arisen from the introduction of the principle of non-intervention with slavery in the territories.

Here then, we have in our past history, the two systems fairly contrasted—congressional interference on the one hand, popular sovereignty on the other. Under one we see five states secured to freedom in the northwest territory without bloodshed and without strife. Under the other we have had civil war in Kansas, and, on the testimony of Stephen A. Douglas, slavery in New Mexico. These are the results.

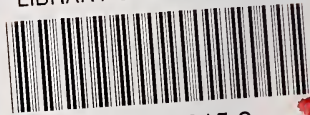
The Saviour of mankind gave us this rule: "By their fruits ye shall know them." In the sight of history and by this divine precept let us decide the question before us.







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